

REMARKS

The Office Action rejects claims 28 and 33 under 35 U.S.C. 102(e) as anticipated by Drasler et al. when claim 33 is viewed in its broadest interpretation. In order to clarify the difference between the apparatus of claim 33 and Drasler, Applicant has amended claim 33 to distinguish more clearly the stent of claim 33 from the stent of Drasler. Claim 33 now requires both inner and outer diameters of the stent wall to increase at each end and in the middle. Drasler's stent does not have these features.

The structure of Drasler is a cylindrical tubular structure with a uniform, non flared inner diameter. The ends 30 and portions called nodes 15 of the Drasler stent are simply areas where the stent material is thicker in the connective elements called struts 10. The lack of a flared condition is most clearly displayed in Figs. 4 and 5 of Drasler, and specifically noted in column 32, lines 10-13. Figs. 4 and 5 show that the inner side of the "wall" of the body of Drasler's stent is substantially uniform and of cylindrical shape and does not flare at the ends or bulge in the middle. Also, the thicker nodes 15 of Drasler are not designed to increase resistance with a lumen wall. Thus, claim 33 as amended distinguishes over Drasler's stent.

Drasler does not teach or suggest the invention as now claimed in amended claim 33. Therefore, claim 33 as amended is believed to be allowable. The remaining claims are all dependent on claim 33, and are also believed to be allowable, as they add further limitations to an allowable claim.

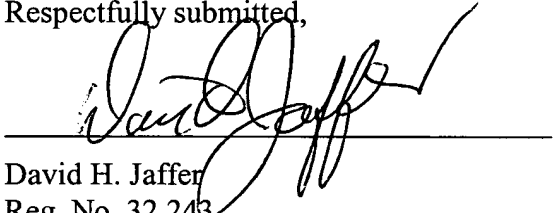
Claims 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Drasler et al. in view of Kanesaka et al. In view of amended claim 33 as discussed above, the addition of the medication of Kanesaka does not teach or suggest the subject matter of claims 13-15. These claims now distinguish over Drasler and Kanesaka, and are therefore believed to be allowable.

Claim 34 is rejected under 35 U.S.C. 103(a) as being unpatentable over Drasler in view of Datta. In view of the limitations now added to amended claim 33, the addition of bioabsorbable material by Datta does not teach or suggest the invention of claim 34. Claim 34 is therefore believed to be allowable.

CONCLUSION

Applicant has amended the claims to clarify and distinguish them from the cited prior art, and believes the claims are now in condition for allowance. If any further questions should arise prior to a Notice of Allowance, the Examiner is respectfully invited to contact the attorney at the number set forth below.

Respectfully submitted,

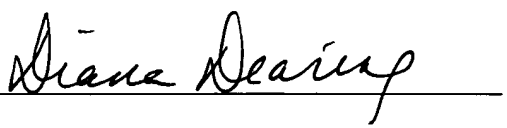


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